

REMARKS

Claims 1-11 are all of the pending claims, with claim 1 being the sole independent claim.

I. Information Disclosure Statement (IDS):

The Examiner indicates that she has not considered the foreign patent documents that were submitted with the January 21, 2005 IDS because copies of the foreign patent documents were not submitted. In response, Applicants submit another IDS (together with the foreign patent documents) that complies with the timing and content requirements of rules 97 and 98.

II. Claim Rejections Under 35 USC §112(2nd):

The Examiner rejects claim 2 under 35 USC §112(2nd) for being inconsistent with the specification. Applicants appropriately amend claim 2 to correct the apparent inconsistency. Applicants respectfully submit that amended claim 2 more particularly points out and distinctly claims the subject matter regarded as the invention, thereby overcoming the raised rejection under 35 USC §112(2nd).

III. Claim Rejections On Prior Art Grounds:

The Examiner rejects claims 1, 2 and 4-8 under 35 USC §102(b) as being anticipated by US 1,720,304 to C. R. Taylor (“Taylor”); claims 1-9 and 11 under 35 USC §102(b) as being anticipated by US 6,227,103 to Haas et al. (“Haas”); and claim 10 under 35 USC §103(a) as being obvious over Haas in view of US 4,589,838 to Ziegler (“Ziegler”). Applicants respectfully traverse all of these rejections in view of the following remarks.

Independent claim 1 defines (among other things) supporting means that push “an outer periphery of a part of the convex half protruding from the concave half onto the axis.” An example, non-limiting embodiment of this feature will be appreciated with reference to Fig. 1. Here, the supporting means (inclusive of the toggle jointed link 30 and the rolling members 31) push on an outer periphery of a part of the convex half 20 that protrudes from the concave half 10. The supporting means push the convex half 20 onto the axis of the concave half 10. At least

this feature (as recited in independent claim 1), in combination with the other features recited in independent claim 1, is not taught or suggested by the prior art relied upon by the Examiner

The Taylor Reference

The Examiner relies upon the Taylor reference to teach each and every feature of the invention defined by claim 1. According to the Examiner, Taylor teaches “supporting means which rotatably supports the convex half (item 9a and 11 – figure 1; column 2, lines 1-5).” At best, the member 9a in Fig. 1 of Taylor corresponds to the spindle shaft 21 of the convex half 20 of the present application. Thus, although not expressly indicated in the Office Action, the Examiner seems to compare the arm 11 in Fig. 1 to the supporting means defined by claim 1.

The Examiner concludes, “said supporting means being openable and closable, and pushing, on at least three points, an outer periphery of a part of the convex half protruding from the concave half onto the axis when said supporting means is closed (page 2, lines 8-20).” Applicants respectfully disagree.

In page 2, lines 8-20, Taylor indicates that “the bayonet shaft has a control disc 9b that is adapted to be engaged by a cam operated arm 11 to withdraw the mandrel from the cooperating mold unit and to reassemble the mandrel and mold unit.” Even if the operation by the cam corresponds to opening/closing movement of the claimed supporting means, the arm 11 does not push the outer periphery of a part of the convex half protruding from the concave half onto the axis, as required by claim 1.

Also, page 2, lines 8-20 of Taylor indicates that “each of the mandrels 9 is carried at one end of a longitudinally slideable and rotatably mounted bayonet shaft 9a that is mounted in bearing supports 4a.” In this regard, the bayonet shaft 9a is supported by the bearing supports 4a, which is a supporting member. But Taylor neither discloses nor indicates that this supporting member is openable and closable.

As demonstrated above, Applicants respectfully submit that independent claim 1 recites features that are practically and conceptually different than Taylor. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the raised anticipation rejection.

The Haas Reference

The Examiner relies upon the Haas reference to teach each and every feature of the invention defined by claim 1. According to the Examiner, Haas teaches “supporting means which rotatably supports the convex half (items 11-16 – figure 5, column 8, lines 56-67)” and “said supporting means being openable and closable, and pushing, on at least three points, an outer periphery of a part of the convex half protruding from the concave half onto the axis when said supporting means is closed (column 8, lines 56-67; column 9, lines 1-5).” Applicants respectfully disagree.

In column 8, lines 56-67, Haas teaches that bearings 11 and 12 are arranged one after the other along the axis of the roll-up mechanism, wherein a shaft 13 is rotatable and axially immovably supported. Also, according to Haas, in the area of the bearing 11, an ejector 15 of a rolled cone is axially movable arranged on the shaft 13, and an actuation member 17 is fastened on the upper side of the ejector 15, by means of which the ejector 15 can be moved back and forth axially along the shaft 13. In this regard, Haas only teaches that the bearings 11 and 12 support the shaft 13 to be axially immovable, and the ejector 15 can move back and forth axially along the shaft 13 by means of the actuation member 17. Haas does not, however, teach the manner in which the ejector 15 moves back and forth axially along the shaft 13. In other words, Haas neither discloses nor indicates that the supporting means pushes on at least three points, the outer periphery of a part of the convex half protruding from the concave half onto the axis, as required by claim 1.

As demonstrated above, independent claim 1 recites features that are practically and conceptually different than Haas. Accordingly, Applicants respectfully request the Examiner to reconsider and withdrawal the raised anticipation rejection.

CONCLUSION

In view of the above, Applicants earnestly solicit reconsideration and allowance of all of the pending claims.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
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